THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION Nos.21096 OF 1998 &

14112 OF 1999

Dated: 11th April 2007

Between:

K.Vijaya Kumar Naidu & another

…Petitioners

and

Govt.of A.P., rep.by its Secretary,
Education Department, Secretariat,
Hyderabad & others.

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION Nos.21096 OF 1998 &

14112 OF 1999

COMMON ORDER:

Both these writ petitions arise under similar facts, and are filed claiming the same relief. Hence, they are disposed of through a common judgment.

The petitioners studied Intermediate Vocational Course in Pharmacy, in a private Junior College, in Kadapa District, between 1980 and 1982. On the basis of the qualifications acquired by them, the Pharmacy Council of A.P. (for short "the Council") registered their names and issued Certificates of Registration, dated 6.10.1989 and 26.11.1988, respectively. The petitioner in W.P.No.21096 of 1998 was appointed as Pharmacist, Grade-II, in the office of the District Medical & Health Officer, Chittoor. The Council verified the matter, at a subsequent stage, and on finding that the vocational course was not

recognized by the Pharmacy Council of India, required the petitioners, to surrender the certificates of their registration. The certificates were not surrendered, and on the other hand, both of them paid their Renewal Fee, for subsequent years. The Council did not renew the certificates. The petitioners challenge the action of the Council, in not renewing their Certificates of Registration.

Heard the learned counsel for the petitioners and learned Government Pleader for Medical and Health.

It is true that the petitioners have studied Intermediate Vocational Course in Pharmacy. The Council is an agency to register Pharmacists, in case, the applicants have studied any course, recognized by the Pharmacy Council of India. The petitioners were issued certificates of registration, without verifying, as to whether the course was recognized by the Pharmacy Council of India. Even now, the said course is not recognized, and in that view of the matter, the question of renewing the certificates, does not arise. The very issuance of certificates, in favour of the petitioners, was defective. Therefore, no exception can be taken to the action of the Council, in not renewing the registration of the petitioners. The record discloses that the Board of Intermediate Education accorded permission to the private colleges, to start Vocational Course in Pharmacy, without obtaining permission from the Pharmacy Council of India. Therefore, no relief can be granted to the petitioners.

The writ petitions are accordingly dismissed. There shall be no order as to costs.

11th April 2007

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